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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/055,694 | 01/23/2002 | Masayoshi Teraguchi | JP920000458 | 5233 |

7590 05/26/2004

Robert P. Tassinari, Jr.
Intellectual Property Law Dept.
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EXAMINER

LE, DEBBIE M

ART UNIT PAPER NUMBER

2177

DATE MAILED: 05/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

29

Office Action Summary

Application No.

10/055,694

Applicant(s)

TERAGUCHI ET AL.

Examiner

DEBBIE M LE

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>3</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 1/23/02 is in compliance with the provisions of 37 CFR 1.97 and has considered by the examiner.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi et al (USP 5,966,495) in view of Chang et al (USP 5,828,809).

As per claim 1, Takahashi discloses an index generation method comprising:
defining, in advance, basic index information concerning an index that constitutes data that describes contents (basic information contains a time code for data block video/audio, col. 5, lines 56-64, col. 8, lines 36-38); and

generating said index by employing operating procedures (instructing) that use said basic index information for the generation of an index and information concerning a timespan (interval) for said index are defined for said basic index information (index generating generates index information and id files, col. 14, lines 36-46).

Takahashi does not explicitly teach a triggering action. However, Chang teaches a triggering action (events, includes touchdowns, fumbles and other football related events, abstract, lines 2-3). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references because it provides user it accessing to a desired interested portion of a video data much quicker and more efficiently than searching the entire video tape (col. 1, col. 3, lines 30-40, col. 5, lines 61-65).

As per claim 2, Chang teaches wherein said information concerning said timespan, which is defined as said basic index information, is a timespan extending

from the occurrence of a triggering action to an index start (beginning time), and a timespan extending from the occurrence of a triggering action to an index end (ending time) (col. 5, lines 12-18).

As per claim 3, Chang teaches wherein the weight of said index is defined for said basic index information (col. 5, lines 5, lines 34-60).

As per claim 4, Takahashi teaches wherein said basic index information defines information concerning the hierarchy for a single triggering index that is formed for a single triggering action, and the higher index is added when the lower index is added (col. 6, lines 25-30, col. 9, lines 51-67, col. 12, lines 49-65).

As per claim 5, Chang teaches wherein said basic index information defines information concerning said index that is formed by the effects produced by multiple triggering actions (abstract).

Claim 6 is rejected by the same rationale as state in independent claim 1 arguments. Moreover, Chang teaches selecting a triggering action (touchdown) from among multiple triggering actions (football related events) (see abstract); determining an index effective time range for said selected triggering action, based on a timespan extending from the occurrence of a triggering action to an index start and a timespan extending from the occurrence of a triggering action to an index end, said timespans being defined in advance (a touchdown event should begin and end within time range, col. 5, lines 12-18).

As per claim 7, Chang teaches wherein another index for which a part, or all of said effective time range is determined is added to contents (col. 5, lines 18-21).

As per claim 8, Chang teaches wherein for said timespan extending from the occurrence of said triggering action to said index start, and said timespan extending from the occurrence of said triggering action to said index end, a different value is defined in advance for each triggering action, and said effective time range is determined based on said defined value (col. 5, lines 23-60).

Claims 9, 18 and 22 are rejected by the same rationale as state in independent claim 1 arguments.

Claims 10 and 19 have similar limitations as state in dependent claim 4; therefore, they are rejected under the same subject matter.

As per claim 11, Chang teaches wherein said index data that is defined by said index data definition means includes: multiple triggering index information that defines index data obtained by multiple triggering actions affecting each other (football related events, see abstract); and additional information that defines information to be individually added to indexes (touchdown, kicking shot, col. 7, lines 61-67, col. 8, lines 1-13).

As per claim 12, Chang teaches input history data storage means for storing said received triggering action as history; correction contents output means for employing said triggering action stored in said input history data storage means to display or output contents used for correction; and triggering action correction means for correcting said triggering action for said contents that is output by said correction contents output means (col. 3, lines 41-57).

Claim 13 is rejected by the same rationale as state in independent claim 1 arguments. Moreover, Takahashi teaches display means, for displaying video and for displaying a list of triggering action types (col. 6, lines 8-10, 25-28).

As per claim 14, Takahashi teaches wherein said display means displays a list of additional information that are registered in advance, in addition to said list of triggering action types, and said input means receives necessary information that is selected based on said list of additional information that is displayed by said display means (col. 16, lines 8-12).

As per claim 15, Takahashi teaches processing means, for processing a triggering action input by said input means, wherein said processing means determines an effective time range for an index, including the times preceding and succeeding the occurrence of said received triggering action, and also determines the importance level of said index (fig. 16, col. 16, lines 22-39).

Claim 16 is rejected by the same rationale as state in independent claim 1 arguments. Moreover, Takahashi teaches index addition means, for adding an index (col. 6, lines 25-29).

As per claim 17, Chang teaches wherein said index addition means adds two or more different and independent indexes (touchdown, fumbles) to a specific portion of said contents (football related event) (see abstract).

As per claim 21, Takahashi teaches a function for adding another index upon the initiation of another triggering action for that portion of contents for which an index is generated by said triggering action (col. 6, lines 25-29).

Claims 20 and 23 are rejected by the same rationale as state in independent claim 6 arguments.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DEBBIE M LE whose telephone number is 703-308-6409. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN BREENE can be reached on 703-305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DEBBIE M LE
Examiner
Art Unit 2177

Debbie Le

May 18, 2004.



GRETA ROBINSON
PRIMARY EXAMINER